

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application of:

ROGER J. LEYDEN ET AL.

Ser. No.: 08/807,120

(U.S. Pat. 5,552,771, issued 9/3/96)

Filed: 2/19/97



RETRACTABLE SENSOR
FOR AN ALARM SYSTEM

Art Unit: 2617

Examiner: A. Wong

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DECLARATION OF GARY REESE

I, Gary Reese declare that:

1. I am currently employed as the Maintenance Supervisor at Long Drug Stores, at The Fixture Shop, in Benicia, California and have held that position for in excess of 15 years.

2. As Maintenance Supervisor, I am responsible for, among other things, assisting setting up product displays and assuring that all product displays meet company standards for both aesthetics and security.

3. Long Drug Stores at this time has approximately 435 stores and in the early 1990's had approximately 200 stores.

4. I am, and have been, involved in managing the displays at all the Long Drug Stores for at least the past 15 years.

5. In the late 1980's, expensive products, such as electronic devices, offered by Long Drug Stores were displayed in closed glass cases which were locked.

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on 12-19-2000 (Date).

T. Craine

Signature

T. Craine

Typed or Printed Name of Person Signing

6. These displays were intended to allow a potential consumer to clearly see products but required that they obtain store assistance to unlock the case, access the device, pick the same up, and inspect it.

7. It is generally more effective in marketing a product to allow the potential consumer to pick up a product and visually inspect the same while contemplating purchase.

8. A closed display case makes this inspection inconvenient and, as a result, sales may be lost.

9. Around 1990, I was involved in changing the manner in which Long Drug Stores displayed products that were, up until that time, displayed in closed cases. A decision was made by Long Drug Stores to allow potential customers to physically access products for handling and inspection.

10. Since with this new display system products were no longer protected by lock and key, it was imperative to provide another type of security to minimize the risk of theft.

11. In about 1990, I sought out a product that would perform the security function from known manufacturers of this type of product.

12. The only product on the market that appeared appropriate to the needs of Long Drug Stores was one offered by Vulcan. This product is disclosed in U.S. Patent No. 5,124,685 (copy attached).

13. The product in the Vulcan patent uses a retractable mechanical cable to connect to a product that is being monitored. Severance of the cable by a would-be thief allows the cable to retract fully, which operates an electrical switch, which in turn sets off an alarm.

14. The product in the Vulcan patent had the advantage that the mechanical cable withdrew so that there was no problem with entangling of cords or excessive exposure of cords on displays that detracted from the appearance of the display.

15. A decision was made by Long Drug Stores to install the Vulcan System in virtually all of the Long Drug Stores.

16. The Vulcan product as installed by Long Drug Stores was defeatable in different ways.

17. The cable could be knotted which would limit retraction of the cable and allow the cable to be severed to release the product associated therewith without triggering an alarm.

18. Alternatively, a clip could be attached to the cable to prevent its retraction to the point that the alarm would sound.

19. Long Drug Stores incurred losses in its stores by reason of persons defeating the Vulcan system, as described above.

20. The security problems persisted in Long Drug Stores for years.

21. As noted above, by reason of the volume of these systems in Long Drug Stores, there was a significant financial and time investment in originally purchasing the Vulcan systems, and in maintaining the systems day-to-day.

22. Aside from the expense and inconvenience associated with these systems, there was still a considerable amount of theft of product that resulted.

23. However, because I was not aware of a viable alternative system, Long Drug Stores continued to deal with the cost, inconvenience, and the fact that these security systems were defeatable.

24. As an alternative to the use of the Vulcan system, and because of dissatisfaction with the performance of the Vulcan system, Long Drug Stores did experiment with coiled cords, such as used on telephone handsets, to address the wire management problem.

25. The coiled cords were not found to be effective in solving the wire management problem at point of purchase displays.

26. I became aware of a product being offered by Se-Kure Controls, Inc. as shown in U.S. Patent No. 5,552,771 (the Se-Kure Product).

27. After requesting and receiving samples and information relating to the Se-Kure Product, Long Drug Stores found that the Se-Kure Controls Product offered a solution to the above problems in that it utilizes a conductive wire between an alarm control box and a product for good security yet retracts the wire so that there is no excess wire between the control box and the product that might be unsightly or potentially lead to entanglement.

28. Long Drug Stores, at my urging, began converting their security systems to incorporate the Se-Kure Controls Product, soon after this product became known to me, and continues to do so to this day.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____

Gary Reese
Maintenance Supervisor
Long Drug Stores